

REMARKS/ARGUMENTS**New POWER OF ATTORNEY/CORRESPONDENCE ADDRESS****(Customer Number 51472)**

The Applicant is submitting herewith a new “power of attorney” that both (1) appoints practitioners associated with USPTO customer number (CN) 51472 and also (2) indicates the new correspondence address of the present U.S. utility patent application to be that which is associated with USPTO CN 51472.

Brief Summary of Status

Claims 1-58 are pending in the application.

Claims 1, 2, 16, 17, 27, 28, 39, 48, 50, and 47 are rejected.

Claims 3-15, 18-26, 29-38, 41-47, 49, 51-56, and 58 are objected to.

35 U.S.C. § 102

The Examiner asserts:

“3. Claims 1, 2, 16, 17, 27, 28, 39, 48, 50 and 57 are rejected under 35 U.S.C. 102(c) as being anticipated by Parry (7,149,529).” (non-final office action, Part of Paper No./Mail Date 20070719, p. 2)

Allowable Subject Matter

The Examiner asserts:

“4. Claims 3-15, 18-26, 29-38, 41-47, 49, 51 -56 and 58 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.” (non-final office action, Part of Paper No./Mail Date 20070719, p. 8)

35 U.S.C. § 102

The Examiner asserts:

“3. Claims 1, 2, 16, 17, 27, 28, 39, 48, 50 and 57 are rejected under 35 U.S.C. 102(e) as being anticipated by Parry (7,149,529).” (non-final office action, Part of Paper No./Mail Date 20070719, p. 2)

The Applicant respectfully traverses.

The Applicant has amended certain of the claims for typographical clarity.

The Applicant respectfully points out that, in order to support a proper rejection under 35 U.S.C. §102, a singular reference must teach and disclose each and every limitation of the subject matter as claimed by the Applicant. If the singular reference fails to teach and disclose each and every limitation of the subject matter as claimed by the Applicant, the rejections under 35 U.S.C. § 102 should be withdrawn.

The Applicant respectfully believes that Parry fails to fails to teach and disclose each and every limitation of the subject matter as claimed by the Applicant.

The Examiner also asserts:

“For claims 1, 2, 39, 40 and 48, Parry disclose a WPAN (Wireless Personal Area Network) (see Figure 4, wireless network made up of communicating devices), the WPAN comprising: a PNC (piconet coordinator) (see Figure 4 Box 14, host); a plurality of DEVs (user piconet devices) (see Figure 4 Box 14, users); wherein the PNC transmits UWB (Ultra Wide Band) pulses to each COMMUNICATION DEVICE within the plurality of DEVs (communication between devices are streams or pulses); wherein after receiving its respective UWB pulse, each DEV within the plurality of DEVs transmits a UWB pulse back to the PNC (see column 4 lines 56-66, UWB signals are used for the host and users to communicate with each other); wherein the PNC performs ranging of the relative position of each DEV within the plurality of DEVs using the time duration of round trip time of the transmitted UWB pulse and the received UWB pulse thereby determining the relative distance between the PNC and each DEV within the plurality of communication devices (see column 4 lines 56-67 and column 5 lines 7-6;the distance/location module determines the location/distance of the user from the host); wherein, based on the ranging of each DEVs of the plurality of DEVs, the PNC groups the plurality of DEVs into at least two groups and identifies a corresponding profile for

each group; and wherein the profile of each group governs the communication between the DEVs of that group and the PNC (see column 5 lines 55-64 and column 7 lines 39-54, depending on the distance the users are grouped in different access zones);

wherein: the WPAN includes a first piconet and a second piconet (see Figure 4, zone 1 is first piconet and zone 2 is second piconet); the PNC is a first PNC (see Figure 4 Box 14 in zone 1); the plurality of DEVs is a first plurality of communication devices (see Figure 4 box 12 in zone 1); the second piconet includes a second PNC (see Figure 4 Box 14 in zone 2) and a second plurality of DEVs (see Figure 4 box 12 in zone 2); the first PNC and the second PNC perform ranging of all the DEVs of the first plurality of DEVs and the second plurality of DEVs using transmitted and received UWB pulses to and from each of the DEVs of the first plurality of DEVs and the second plurality of DEVs (see column 5 lines 55-64 and column 7 lines 39-54, depending on the distance the users are grouped in different access zones); and based on the ranging of all of the DEVs, the first PNC and the second PNC operate cooperatively to group each of the DEVs of the first plurality of DEVs and the second plurality of DEVs into either the first piconet or the second piconet (see column 5 lines 55-64 and column 7 lines 39-54, depending on the distance the users are grouped in different access zones).

further comprising: monitoring the relative positions of each DEV of the plurality of DEVs with respect to the PNC; and based on a change in position of at least one DEV of the plurality of DEVs with respect to the PNC, modifying the profile assignment that corresponds to the at least one DEV whose position has changed.” (non-final office action, Part of Paper No./Mail Date 20070719, p. 2-4, emphasis added)

As cited above, the Examiner refers to “a PNC (piconet coordinator) (see Figure 4 Box 14, host); a plurality of DEVs (user piconet devices) (see Figure 4 Box 14, users)”. That Applicant respectfully believes that the Examiner means to assert “a PNC (piconet coordinator) (see Figure 4 Box 14, host); a plurality of DEVs (user piconet devices) (see Figure 4 Box 12, users)”, as the Applicant respectfully believes that the Examiner must not intend that the “Box 14” or Parry indicates BOTH the “PNC (piconet coordinator)” and the “plurality of DEVs (user piconet devices)” in accordance with the subject matter as claimed by the Applicant. If the Applicant’s belief is incorrect, the Applicant respectfully requests clarification by the Examiner.

The Applicant respectfully believes that Parry teaches and discloses a means for “selectively permitting wireless communication access” depending upon a computing device’s location with respect to a “zone”, or “relative to the zone”.

For example, Parry teaches and discloses:

“A method controls wireless communication access by defining a zone with at least one first computing device and then selectively permitting wireless communication access for a second computing device to the first computing device based on a position of the second computing device relative to the zone. A wireless communication access control system comprises at least one first computing device and a second computing device. The first and second computing device each include a controller and a wireless communication transceiver for communicating with each other. The first computing device is configured for controlling an access zone adjacent the first computing device wherein the first computing device is configured for permitting selective wireless communication access to the first computing device for the second computing device based on a position of the second computing device relative to the zone.” (Parry, ABSTRACT, emphasis added)

This appears to be an allowing/disallowing processing or authorizing/denying processing of “selectively permitting wireless communication access” or NOT “selectively permitting wireless communication access” between the computing devices (i.e., “selectively permitting wireless communication access for a second computing device to the first computing device based on a position of the second computing device relative to the zone”).

There does not appear to be any teaching and disclosure in accordance with Parry of setting up two separate groups of the “first computing device(s) 12” within FIG. 4 of Parry within separate profiles such that the profile of each group governs the communication between the DEVs of that group and the PNC. In other words, there does not appear to be at least two separate groups of “first computing device(s) 12” within FIG. 4 of Parry such that the at least two separate groups of “first computing device(s) 12” within FIG. 4 of Parry communicate with a “second computing device 14” in FIG. 4 of Parry.

In contradistinction, it appears that all of the “first computing device(s) 12” within a particular zone in FIG. 4 of Parry communicate with only one “second computing device 14” in FIG. 4 of Parry. Those “first computing device(s) 12” outside of the particular zone in FIG. 4 of Parry are denied from communicating with the “second computing device 14” in FIG. 4 of Parry.

In other words, if a “first computing device 12” within FIG. 4 of Parry is within the defined “zone” (e.g., “defining a zone with at least one first computing device”), then that particular “first computing device 12” is able to undergo “selectively permitting wireless communication access for a second computing device to the first computing device based on a position of the second computing device relative to the zone”.

In addition, on other locations, Parry seems to indicate that the subject matter disclosed therein focuses on allowing/disallowing processing or authorizing/denying processing of “selectively permitting wireless communication access” or NOT “selectively permitting wireless communication access” between the computing devices (i.e., “selectively permitting wireless communication access for a second computing device to the first computing device based on a position of the second computing device relative to the zone”)

Parry teaches and discloses:

“A method of the present invention controls wireless communication access. The method includes defining a zone with at least one first computing device and then selectively permitting wireless communication access for a second computing device to the first computing device based on a position of the second computing device relative to the zone.”

A wireless communication access control system comprises a at least one first computing device and a second computing device. The first and second computing device each include a controller and a wireless communication transceiver for communicating with each other. The first computing device is configured for controlling a zone adjacent the first computing device wherein the first computing device is configured for permitting selective wireless communication access to the first computing device for the second computing device based on a position of the second computing device relative to the

zone.” (Parry, SUMMARY OF THE INVENTION, col. 1, line 62 to col. 2, line 14, emphasis added)

It appears that the “first computing device is configured for controlling a zone adjacent the first computing device”. It also appears that “the first computing device is configured for permitting selective wireless communication access to the first computing device for the second computing device based on a position of the second computing device relative to the zone”.

The Applicant respectfully believes that this appears to be allowing/disallowing processing or authorizing/denying processing of “selectively permitting wireless communication access” or NOT “selectively permitting wireless communication access” between the “first computing device” and the “second computing device”.

There does not appear to be communication between the DEVs of a first group and the PNC according to a corresponding profile (e.g., a first profile) and also simultaneously communication between the DEVs of a second group and the PNC according to a corresponding profile (e.g., a second profile) in accordance with the teaching and disclosure of Parry.

As cited above, the Examiner asserts that Parry teaches and discloses subject matter that includes “based on the ranging of each DEVs of the plurality of DEVs, the PNC groups the plurality of DEVs into at least two groups and identifies a corresponding profile for each group; and wherein the profile of each group governs the communication between the DEVs of that group and the PNC (see column 5 lines 55-64 and column 7 lines 39-54, depending on the distance the users are grouped in different access zones)”.

Parry teaches and discloses:

“As shown in FIG. 2, wireless access determination system 50 according to the present invention defines access zone 52 in which wireless communication access for a second computing device 14 will be either selectively denied or permitted to first computing device(s) 12. While zone 52 shown in FIG. 2 is defined by four first computing devices (12A 12D), a fewer or greater number of first computing devices 12 optionally are used to define zone 52, depending upon the radius of signal transmission from each first computing device 12.”(Parry, col. 5, line 55-64, emphasis added)

Parry teaches and discloses:

“FIG. 4 illustrates another exemplary embodiment of a wireless access control system 120 according to the present invention. System 120 provides selective access for wireless communication to first computing device(s) 12 and/or connected computing devices, systems, and networks. System 120 includes first boundary 122, second boundary 124, first inner access zone 126, second intermediate access zone 128, and third outer access zone 129. First and second boundaries 122 and 124 are formed by positioning several first computing devices 12, which preferably define nested rectangles. However, any shape or pattern (e.g. circles, triangles, etc.) can be formed by positioning first computing devices 12 to define nested first and second boundaries 122 and 124. First and second boundaries 122 and 124 in turn define three access zones, namely, first inner zone 126, second intermediate zone 128, and third outer zone 129.”(Parry, col. 7, line 39-54, emphasis added)

Again, the subject matter disclosed in accordance with Parry seems to be allowing/disallowing processing or authorizing/denying processing of “selectively permitting wireless communication access” or NOT “selectively permitting wireless communication access” between the “first computing device” and the “second computing device” depending on whether the computing device lies within an “access zone”.

As another example, Parry teaches and discloses:

“Once the zone is established in step 102, a user with second computing device 14 attempts to wireless connect to first computing device 12 (step 104) for access to first computing device(s) 12, network communication link 16, and/or computing system 18 (with or without software application 30). To do so, the user wirelessly sends an access request to first computing device 12 (e.g. host station). If second computing device 14 is not authorized or not properly equipped for such communication, then first computing device 12 will reply with a message that access is denied. Alternatively, first computing device 12 prevents access to second computing device 14 but does not even reply to second computing device 14 to avoid revealing the presence of first computing device 12 and/or the first computing device's knowledge of attempted access by second computing device 14.

On the other hand, where second computing device 14 is properly equipped to communicate with first computing device 12, then first computing device(s) 12 (e.g. host

stations) communicate with each other to determine a relative or absolute position of second computing device 14 deployed by a user (step 106). Then system 10, through first computing device 12, determines if the position of second computing device 14 deployed by the user falls within zone 52 (step 108). Access to first computing device 12, network communication link 16, and/or computer system 18 is permitted for second computing device 14 within access zone (step 114). However, for additional security, first computing device 12 also optionally prompts the user of second computing device 14 for a password before access is granted (step 110). On the other hand, if the position of second computing device 14 falls outside of the selected zone 52, then second computing device 14 deployed by the user is denied access to zone 52. (step 112).”(Parry, col. 7, lines 5-38, emphasis added)

Again, the subject matter disclosed in accordance with Parry seems to be allowing/disallowing processing or authorizing/denying processing of “selectively permitting wireless communication access” or NOT “selectively permitting wireless communication access” between the “first computing device” and the “second computing device” based on if “the user falls within zone 52 (step 108)”.

The Applicant is unable to find any subject matter within Parry of at least two separate groups of “computing devices” that both communicate with a “PNC” in accordance with the subject matter as claimed by the Applicant such that communication between the DEVs of a first group and the PNC is governed by a first profile and communication between the DEVs of a second group and the PNC is governed by a second profile.

As can be seen in accordance with the subject matter as claimed by the Applicant in independent claim 1, there are at least two groups into which the plurality of DEVs are grouped and a profile is identified for each of the groups. In addition, communication between the DEVs of each group is actually supported with the PNC in the Applicant’s independent claim 1. Moreover, the communication between the DEVs of a first group and the PNC is governed by a first profile and communication between the DEVs of a second group and the PNC is governed by a second profile.

In other words, the DEVs of each group actually communicate with the PNC in accordance with the subject matter as claimed by the Applicant.

In Parry, communication between the devices is allowed/disallowed or authorized/denied based on “selectively permitting wireless communication access” or NOT “selectively permitting wireless communication access” between the “first computing device” and the “second computing device” depending on whether the computing device lies within an “access zone”.

The subject matter as claimed by the Applicant in independent claim 1 includes “wherein based on the ranging of each DEVs of the plurality of DEVs, the PNC groups the plurality of DEVs into at least two groups and identifies a corresponding profile for each group; and wherein the profile of each group governs the communication between the DEVs of that group and the PNC.”

In other words, the ranging in accordance with the subject matter as claimed by the Applicant is employed by the PNC to group the plurality of DEVs into at least two groups. Also, the PNC identifies a corresponding profile for each group. Then, the profile of each group governs the communication between the DEVs of that group and the PNC.

As can be seen, each group actually does communicate with the PNC in accordance with the subject matter as claimed by the Applicant. There are at least two groups of the DEVs and each of the groups has a corresponding profile that governs the communication between the DEVs of that group and the PNC.

Parry fails to teach and disclose this subject matter.

Parry fails to teach and disclose that there are two separate groups that actually do communicate with such a PNC and such that each of the groups has a corresponding profile that governs the communication between the DEVs of that group and the PNC in accordance with the subject matter as claimed by the Applicant.

In contradistinction, Parry teaches and discloses subject matter that relates to allowing/disallowing processing or authorizing/denying processing of “selectively permitting wireless communication access” or NOT “selectively permitting wireless communication access” between the “first computing device” and the “second computing device” based on if “the user falls within” a zone.

There does not appear to be at least two separate groups of computing devices that communicate with a PNC (the at least two separate groups of computing devices being

grouped by the PNC based on the ranging of each DEV of the plurality of DEVs) according to at least two separate corresponding profiles that are identified by the PNC (the at least two separate corresponding profiles being identified by the PNC based on the ranging of each DEV of the plurality of DEVs) in accordance with the teaching and disclosure of Parry.

For at least these reasons, the Applicant respectfully believes that Parry fails to teach and disclose each and every limitation of the subject matter as claimed by the Applicant in independent claim 1.

The Applicant respectfully believes that independent claim 1 is allowable over Parry.

The Applicant respectfully believes that these comments made above with respect to Parry are also applicable with respect to other of the independent claims of the Applicant's, in that, Parry fails to teach and disclose each and every one of the limitations of those independent claims in accordance with the subject matter as claimed by the Applicant.

These comments made above with respect to the Applicant's independent claim 1 are also applicable with respect to the Applicant's independent claims 16, 27, 39, and 50.

The Applicant respectfully believes that Parry does not teach and disclose each and every limitation of the subject matter as claimed by the Applicant in independent claims 1, 16, 27, 39, and 50.

The Applicant respectfully believes that independent claims 1, 16, 27, 39, and 50 are allowable over Parry.

Moreover, the Applicant respectfully believes that the dependent claims within claims 1, 2, 16, 17, 27, 28, 39, 48, 50 and 57, being further limitations on the subject matter of allowable independent claims, are also allowable.

As such, the Applicant respectfully requests that the Examiner withdraw the rejections to claims 1, 2, 16, 17, 27, 28, 39, 48, 50 and 57 under 35 U.S.C. § 102(e) as being anticipated by Parry (7,149,529).

Allowable Subject Matter

The Examiner asserts:

“4. Claims 3-15, 18-26, 29-38, 41-47, 49, 51 -56 and 58 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.” (non-final office action, Part of Paper No./Mail Date 20070719, p. 8)

The Applicant respectfully traverses the objections to claims 3-15, 18-26, 29-38, 41-47, 49, 51 -56 and 58.

In view of at least the comments submitted herewith, the Applicant respectfully believes that independent claims 1, 16, 27, 39, and 50 are allowable.

The Applicant respectfully believes that dependent claims 3-15, 18-26, 29-38, 41-47, 49, 51 -56 and 58, being further limitations of the subject matter as claimed in allowable independent claims, are also allowable.

As such, the Applicant respectfully requests that the Examiner withdraw the objections to claims 3-15, 18-26, 29-38, 41-47, 49, 51 -56 and 58.

New POWER OF ATTORNEY/CORRESPONDENCE ADDRESS**(Customer Number 51472)**

Again, the Applicant respectfully points out that the Applicant is also submitting a new "power of attorney" herewith that both (1) appoints practitioners associated with USPTO customer number (CN) 51472 and also (2) indicates the new correspondence address of the present U.S. utility patent application to be that which is associated with USPTO CN 51472 (which is also listed below):

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The Applicant respectfully believes that claims 1-58 are in condition for allowance and respectfully requests that they be passed to allowance.

The Examiner is invited to contact the undersigned by telephone or facsimile if the Examiner believes that such a communication would advance the prosecution of the present U.S. utility patent application.

RESPECTFULLY SUBMITTED,

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